

## THE LANDMARK OF FREEDOM.

## SPEECH

HON. CHARLES SUMNER

## AGAINST THE REPEAL

OF THE PROHIBITION OF SLAVERY NORTH OF THIRTY-SIX DEGREES THIRTY MINUTES.

In Senate, February 21, 1854.

[CONCLUDED.]

II. Mr. President, it is not only an infraction of solemn compact, embodied in ancient law, that I arraign this bill. I arraign it also as a flagrant and extravagant departure from the original policy of our fathers, consecrated by their lives, opinions, and acts.

And here, sir, bear with me in a brief recital of unquestioned facts. At the period of the Declaration of Independence, there was upwards of half a million colored persons in Slavery throughout the United Colonies. These unhappy people were originally stolen from Africa, or were the children of those who had been stolen, and, though distributed throughout the whole country, were to be found in largest number in the Southern States. But the spirit of Freedom then prevailed in the land. The fathers of the Republic, leaders in the war of Independence, were struck with the inconsistency of an appeal for their own liberties, while holding in bondage their fellow-men, only "guilty of a skin not colored like their own." The same conviction animated the hearts of the people, whether at the North or South. At a town meeting, at Danbury, Connecticut, held on the 12th December, 1778, the following declaration was made:

"It is with singular pleasure we note the second article of the Association, in which it is agreed to import no more negro slaves, as we cannot but think it a palpable absurdity so loudly to complain of attempts to enslave us while we are actually enslaving others."—*Am. Archives, 4th Series, Vol. 1, p. 1038.*

The South responded in similar strains. At a meeting in Darien, Georgia, in 1775, the following important resolution was put forth:

"To show the world that we are not influenced by any contracted or interested motives, but by a general philanthropy for all mankind, of whatever climate, language, or complexion, we hereby declare our disapprobation and abhorrence of the unnatural practice of Slavery—(however the uncolored state of the country or other specious arguments may plead for it)—a practice founded in injustice and cruelty, and highly dangerous to our liberties as well as lives, debasing part of our fellow-creatures below men, and corrupting the virtue and morals of the rest, and laying the basis of that liberty we contend for, and which we pray the Almighty to continue to the latest posterity, upon a very wrong foundation. We therefore resolve at all times to use our utmost endeavors for the manumission of our slaves in this Colony, upon the most safe and equitable footing for the masters and themselves."—*Am. Archives, 4th Series, Vol. 1, p. 1135.*

The soul of Virginia, during this period found also fervid utterance through Jefferson, who, by precocious and immortal words, has enrolled himself among the earliest Abolitionists of the country. In his address to the Virginia Convention of 1774, he openly avowed, while vindicating the rights of British America, that "the abolition of domestic slavery is the greatest object of desire in these Colonies, where it was unhappily introduced in their infant state." And then again, in the Declaration of Independence, he embodied sentiments, which, when practically applied, will give Freedom to every Slave throughout the land. "We hold these truths to be self-evident," says our country, speaking by the voice of Jefferson, "that all men are created equal—that they are endowed with certain inalienable rights—that among these are life, liberty, and the pursuit of happiness." And again, in the Congress of the Confederation, he brought forward, as early as 1784, a resolution to exclude Slavery from all the Territory "ceded or to be ceded" by the States of the Federal Government, including the whole territory now covered by Tennessee, Mississippi, and Alabama. Lost at first by a single vote only; this measure, in a more restricted form, was renewed at a subsequent day, by an honored son of Massachusetts, and in 1787 was finally confirmed in the Ordinance of the north-western territory, by a unanimous vote of the States.

Thus early and distinctly do we discern the Anti-Slavery character of the founders of our Republic, and their determination to place the National Government, within the sphere of its jurisdiction, openly, actively, and perpetually on the side of Freedom.

The National Constitution was adopted in 1788. And here we discern the same spirit. The emphatic words of the Declaration of Independence, which our country took upon its lips as baptismal vows, when it claimed its place among the nations of the earth, were not forgotten. The preamble to the Constitution renews them, when it declares its object to be, among other things, "to establish justice, to promote the general welfare, and to secure the blessings of liberty to ourselves and posterity." Thus, according to undeniable words, the Constitution was ordained, not to establish, secure, or sanction Slavery—not to promote the special interest of slaveholders—not to make Slavery national in any way, form, or manner—not to foster this great wrong, but to "establish justice," "to promote the general welfare," and "to secure the blessings of liberty." The discreditable words *Slave and Slavery* were not allowed to find a place in this instrument, while a clause was subsequently added by way of amendment, and, therefore, according to the rules of interpretation, particularly revealing the sentiments of the founders, which is calculated, like the Declaration of Independence, if practically applied, to carry Freedom to all within the sphere of its influence. It was specifically declared, that "no person shall be deprived of life, liberty, or property, without due process of law;" that is, without due presentment, indictment, or other judicial proceeding. Here is an express interdiction upon its invasion anywhere within the national jurisdiction.

It is evident, from the debates on the National Constitution, that Slavery, like

the slave trade, was regarded as temporary; and it seems to have been supposed by many that they would both disappear together. Nor do any words employed in our day denounce it with an indignation more burning than that which glowed on the lips of the Fathers. Early in the Convention, Gouverneur Morris, of Pennsylvania, broke forth in the language of an Abolitionist: "He never would concur in upholding domestic slavery. It was a nefarious institution. It was the curse of Heaven." In another mood, and with mild, juridical phrase, Mr. Madison "thought it wrong to admit in the Constitution the idea of property in man." And Washington, in letters written near this period—which completely describe the aims of an Abolitionist—avowed "that it was among his first wishes to see some plan adopted by which Slavery may be abolished by law," and that to this end "his suffrage should not be wanting."

In this spirit was the National Constitution adopted. In this spirit the National Government was first organized under Washington. And here there is a fact of peculiar significance, to which I have already, on a former occasion, called attention, but which is well worthy of perpetual memory. At the time that this great chief took his first oath to support the Constitution of the United States, the national ensign nowhere within the national Territory covered a single slave. On the sea, an execrable piracy, the trade in slaves, was still, to the national scandal, tolerated under the national flag. In the States, as a sectional institution, beneath the shelter of local laws, Slavery unhappily found a home. But in the only Territories at this time belonging to the Nation, the broad region of the Northwest, it had already, by the Ordinance of Freedom, been made impossible, even before the adoption of the Constitution. The District of Columbia, with its fatal dowry, had not yet been acquired.

Entering upon his high duties, Washington, himself an Abolitionist, was surrounded by men, who, by their lives and declared opinions, were pledged to warfare with Slavery. There was John Adams, the Vice President, who had early announced that "consenting to Slavery is a sacrilegious breach of trust." There was Alexander Hamilton, who, as a member of the Abolition Society of New York, had only recently uttered in a solemn petition for those who, "though free by the laws of God, are held in Slavery by the laws of the State." There was, also, another character of spotless purity, and commanding influence, John Jay, President of the Abolition Society of New York, until by the nomination of Washington he became Chief Justice of the United States. In his sight Slavery was an "iniquity"—"a sin of crimson dye," against which ministers of the gospel should testify, and which the Government should seek in every way to abolish. "Were I in the Legislature," he wrote, "I would present a bill for the purpose with great care, and I would never cease moving it till it became a law or I ceased to be a member. Till America comes into this measure, her prayers to Heaven will be impious." By such men was Washington surrounded, while from his own Virginia came the voice of Patrick Henry, amidst confessions that he was a master of slaves, crying, "I will not, I cannot justify it. However culpable my conduct, I will so far pay my debt to virtue as to own the excellence and rectitude of her precepts, and lament my want of conformity to them." Such words as these, fitly coming from our leaders, belong to the true glories of the country:

While we much precedents can boast at home, Keep thy Fabrics and thy Oats, Rome!

The earliest Congress under the Constitution adopted the Ordinance of Freedom for the Northwestern Territory, and thus ratified the prohibition of Slavery in all the existing Territories of the Union. Among those who sanctioned this act were men fresh from the labors of the Convention, and therefore familiar with its policy. But there is another voice which bears testimony in the same direction. Among the petitions presented to the first Congress, was one from the Abolition Society of Pennsylvania, signed by Benjamin Franklin, as President. This venerable votary of Freedom, who throughout a long life had splendidly served his country at home and abroad—whose name, signed to the Declaration of Independence, gave added importance even to that great instrument, and then again signed to the Constitution of the United States, filled it with the charm of wisdom—in whom, more than in any other man, the true spirit of American Institutions, at once practical and humane, was embodied—who knew intimately the purposes and aspirations of the founders—this veteran statesman, then eighty-four years of age, appeared at the bar of that Congress, whose powers he had helped to define and establish, and by the last political act of his long life, solemnly entreated "that it would be pleased to countenance the restoration of liberty to those unhappy men, who alone, in this land of Freedom, are degraded into perpetual bondage," and "that it would step to the very verge of the power vested in it for DISCOURAGING every species of traffic in the persons of our fellow men." Only a short time after uttering this prayer, the patriot sage descended to the tomb; but he seems still to call upon Congress, in memorable words, to step to the very verge of the powers vested in it to discourage Slavery; and this prayer, now sounding from the tomb of Franklin, proclaims the true national policy of the Fathers. Not encouragement, but discouragement of Slavery, not its nationalization, but its denationalization, was their rule.

The memorial of Franklin, with other memorials of a similar character, was referred to a Committee, and much debated in the House, which finally sanctioned the following resolution, and directed the same to be entered upon its journals, viz:

"That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them, within any of the States; it remaining with the several States to provide any regulations therein, which humanity and true policy may require."

very in the States, was adopted by the same Congress which had solemnly affirmed the prohibition of Slavery in all the existing Territory of the Union. And it is on these double acts, at the first organization of the Government, and the recorded sentiments of the founders, that I take my stand, and challenge all question.

At this time there was strictly no dividing line in the country between Anti-Slavery and Pro-Slavery. The Anti-Slavery sentiment was thoroughly national, broad and general, pervading alike all parts of the Union, and uprising from the common heart of the entire people. The Pro-Slavery interest was strictly personal and pecuniary, and had its source simply in the self-interest of individual slaveholders. It contemplated Slavery only as a domestic institution—not as a political element—and merely stipulated for its security where it actually existed within the States.

Sir, the original policy of the country is clear and unmistakable. Compensations expressed, it was non-intervention by Congress with Slavery in the States, and its prohibition in all the national domain. In this way, the discordant feelings on this subject were reconciled. Slave masters were left, at home, in their respective States, to hug Slavery, under the protection of local laws, without any interference from Congress, while all opposed to it were exempted from any responsibility therefor in the national domain. This, sir, is the common ground on which our political fabric was reared; and I do not hesitate to say that it is the only ground on which it can stand in permanent peace.

It is beyond question, sir, that our Constitution was framed by the lovers of Human Rights; that it was animated by their divine spirit; that the institution of Slavery was regarded by them with aversion, so that, though covertly alluded to, it was not named in the instrument; that, according to the debates in the Convention, they refused to give it any "sanction," and looked forward to the certain day when it would be obliterated from the land. But the original policy of the Government did not long prevail. The generous sentiments which filled the early patriots, giving to them historic grandeur, gradually lost their power. The blessings of freedom being already secured to themselves, the freemen of the land grew indifferent to the freedom of others. They ceased to think of the slaves. The slave-masters availed themselves of this indifference, and, though few in numbers, compared with the non-slaveholders, even in the slave States, (according to the late census they are fewer than 300,000 in the whole country,) they have, under the influence of an imagined self-interest, by the skilful tactics of party, and especially by an unhesitating, persevering union among themselves—swaying, by turns, both the great political parties—succeeded, through a long succession of years, in obtaining the control of the National Government, bending it to their purposes, compelling it to do their will, and imposing upon it a policy friendly to Slavery; offensive to Freedom only, and directly opposed to the sentiments of its founders. Our Republic has swollen in population and power; but it has shrunk in character. It is not now what it was at the beginning, a Republic merely permitting, while it regretted Slavery; tolerating it only where it could not be removed, and interdicting it where it did not exist—but a mighty Propagandist, openly favoring and vindicating it; visiting, also, with displeasure all who oppose it.

The extent to which its original policy has been changed, can be placed beyond question. Early in our history, no man was disqualified for public office by reason of his opinions on this subject; and this condition continued for a long period. As late as 1821, John W. Taylor, Representative from New York, who had pressed with so much energy, not merely the prohibition of Slavery in the Territories, but its restriction in the State of Missouri, was elected to the chair of Henry Clay, as Speaker of the other House. It is needless to add, that no determined supporter of the Wilmot Proviso at this day could expect that eminent trust. An arrogant and unrelenting ostracism is now applied, not only to all who express themselves against Slavery, but to every man who will not be its menial. A novel test for office has been introduced, which would have excluded all the Fathers of the Republic—even Washington, Jefferson, and Franklin. Yes, sir; startling it may be; but indisputable. Could these illustrious men descend from their realms above, and revisit the land which they had nobly dedicated to freedom, they could not, with their well-known and recorded opinions against Slavery, receive a nomination for the Presidency from either of the old political parties. Nor could John Jay, our first Chief Justice, and great exemplar of judicial virtue—who hated Slavery, as he loved Justice—be admitted to resume those duties with which his name on earth is indissolubly associated. To such extent has our Government departed from the ancient ways.

These facts prepare us to comprehend the true character of the change with regard to the Territories. In 1787, all the existing national domain was promptly and unanimously dedicated to Freedom, without opposition or criticism. The interdiction of Slavery then covered every inch of soil belonging to the National Government. Louisiana, an immense region beyond the bounds of the original States, was subsequently acquired, and in 1820, after a vehement struggle, which shook the whole land, discomfited Freedom was compelled, by a dividing line, to a partition with Slavery. This arrangement, which, in its very terms, was exclusively applicable to a particular territory purchased from France, has been accepted as final down to the present session of Congress; but now, sir, here in 1854, Freedom is suddenly summoned to surrender even her hard-won moiety. Here are the three stages: at the first, all is consecrated to Freedom; at the second, only half; while at the third, all is to be opened to Slavery. Thus is the original policy of the Government absolutely reversed. Slavery, which, at the beginning, was a sectional institution,

with no foothold anywhere on the national territory, is now exalted as a national institution, and all our broad domain is threatened by its blighting shadow.

Thus much for what I have to say, at this time, of the original policy, consecrated by the lives, opinions, and acts of our Fathers. Summoning to my side the majestic forms of these civil heroes, whose firmness in council was only equalled by the firmness of Washington in war, I might leave the cause in their care. But certain reasons are adduced for the proposed departure from their great example, and, though these seem of little validity, yet I would not pass them in silence.

The Prohibition of Slavery in the Territories is assailed, as beyond the power of Congress, and an infringement of the local sovereignty. On this account it is, at this late day, pronounced unconstitutional. Now, without considering minutely the sources from which the power of Congress over the national domain is derived—whether from the express grant in the Constitution to make rules and regulations for the government of the Territory, or from the power, necessarily implied, to govern territory acquired by conquest or purchase—it seems to me impossible to deny its existence, without invalidating a large portion of the legislation of the country, from the adoption of the Constitution down to the present day. This power was asserted before the Constitution. It was not denied or prohibited by the Constitution itself. It has been exercised from the first existence of the Government, and has been recognised by its three departments—the Executive, the Legislative, and the Judicial. Precedents of every kind are thick in its support. Indeed, the very bill now before us, assumes a control of the territory clearly inconsistent with those principles of sovereignty, which are said to be violated by a Congressional prohibition of Slavery.

Here are provisions, determining the main features in the Government—the distribution of powers in the Executive, the Legislative, and Judicial departments, and the manner in which they shall be respectively constituted—securing to the President, with the consent of the Senate, the appointment of the governor, the secretary, and the judges, and to the people the election of the legislature—ordaining the qualifications of voters, the salaries of the public officers, and the daily compensation of the members of the legislature. Surely, if Congress may establish these provisions, without any interference with the rights of territorial sovereignty, it is absurd to say that it may not also prohibit Slavery.

But there is in the very bill an express prohibition on the Territory, borrowed from the Ordinance of 1787, and repeated in every act organizing a Territory, or even a new State, down to the present time, wherein it is expressly declared, that "no tax shall be imposed upon the property of the United States." Now, here is a clear and unquestionable restraint upon the sovereignty of Territories and States. The public lands of the United States, situated within an organized Territory or State, cannot be regarded as the instruments and means necessary and proper to execute the sovereign powers of the nation, like fortifications, arsenals, and navy yards. They are strictly in the nature of private property of the nation, and as such, unless exempted by the foregoing prohibition, would clearly be within the field of local taxation, liable, like the lands of other proprietors, to all customary burdens and incidents. Mr. Justice Woodbury has declared, in a well-considered judgment, that "where the United States own land situated within the limits of particular States, and over which they have no cession of jurisdiction, for objects either special or general, little doubt exists that the rights and remedies in relation to it are usually the same as apply to other landholders within the States."—(*United States vs. 1 Woodbury and Minot, p. 76.*) I assume, then, that without this prohibition these lands would be liable to taxation. Does any one question this? Nobody. The conclusion then follows, that by this prohibition you propose to deprive the present Territory, as you have deprived other Territories—aye, and States—of an essential portion of its sovereignty.

The Supreme Court of the United States have given great prominence to the sovereign right of taxation in the States. In the case of *Providence Bank vs. Pittman, 4 Peters, 514*, they declare—

"That the taxing power is of vital importance; that it is essential to the existence of Government; that the relinquishment of such power is never to be assumed;"

And again, in the case of *Dobbins vs. Commissioners of Erie County, 16 Peters, 447*, they say—

"Taxation is a sacred right, essential to the existence of Government—a incident of sovereignty. The right of legislation is co-extensive with the incident, to attach it upon all persons and property within the jurisdiction of the State."

Now, I call upon Senators to remark, that this sacred right, as it is to be essential to the very existence of Government, is abridged in the bill now before us.

For myself, I do not doubt, the power of Congress to fasten this restriction upon the Territory, and afterwards upon the State, as has been always done; but I am at a loss to see on what grounds this can be placed, which will not also support the prohibition of slavery. The form or the unquestionable infringement of sovereignty, as declared by our Supreme Court, far more than can be asserted of the latter.

I am unwilling to admit, sir, that the prohibition of slavery in the Territories is in any just sense an infringement of the local sovereignty. Slavery is an infraction of the immutable law of nature, and, as such, cannot be considered a natural incident to any sovereignty, especially in a country which has solemnly declared, in its Declaration of Independence, the inalienable right of all men to life, liberty, and the pursuit of happiness. In an age of civilization and in a land of rights, slavery may still be tolerated in fact; but its prohibition, within a municipal jurisdiction, by the Government thereof, as by one of the States of the Union, cannot be considered an infraction of natural rights;

nor can its prohibition by Congress in the Territories be regarded as an infringement of the local sovereignty, founded, as it must be, on natural rights.

But another argument is pressed, most fallacious in its character. It is asserted that, inasmuch as the Territories were acquired by the common treasure, they are the common property of the whole Union; and therefore, no citizen can be prevented from moving into them with his slaves, without an infringement of the equal rights and privileges which belong to him as a citizen of the United States. But, it is admitted that the people of this very Territory, when organized as a State, may exclude slaves, and in this way abridge an asserted right founded on the common property in the Territory. Now, if this can be done by the few thousand settlers who constitute the State Government, the whole argument founded on the acquisition of the Territories, by a common treasure, seems futile and evanescent.

But this argument proceeds on an assumption which cannot stand. It assumes that Slavery is a national institution, and that property in slaves is recognised by the Constitution of the United States. Nothing can be more false. By the judgment of the Supreme Court of the United States, and also by the principles of the common law, Slavery is a local municipal institution, which derives its support exclusively from local municipal laws, and beyond the sphere of these laws it ceases to exist, except so far as it may be preserved by the clause for the rendition of fugitives from labor. Madison thought it wrong to admit into the Constitution the idea that there can be property in man; and I rejoice to believe that no such idea can be found there. The Constitution regards slaves always as "persons," with the rights of "persons," never as property. When it is said, therefore, that every citizen may enter the national domain with his property, it does not follow, by any rule of logic or of law, that he may carry his slaves. On the contrary, he can only carry that property which is admitted to be such by the universal law of nature, written by God's own finger on the heart of man.

Again: The relation of master and slave is sometimes classed with the domestic relations. Now, while it is unquestionably among the powers of any State, within its own jurisdiction, to change the existing relation of husband and wife, and to establish polygamy, I presume no person would contend that a polygamous husband, resident in one of the States, would be entitled to enter the national Territory with his harem—his property, if you please—and there claim immunity. Clearly, when he passes the bounds of that local jurisdiction, which sanctions polygamy, the peculiar domestic relation would cease; and it is precisely the same with Slavery.

Sir, I dismiss these considerations. The prohibition of Slavery in the Territory of Nebraska stands on foundations of adamant, upheld by the early policy of the Fathers, by constant precedent, and time-honored compact. It is now in your power to overturn it; you may remove the sacred landmark, and open the whole vast domain to Slavery. To you is committed this high prerogative. Our fathers, on the eve of the revolution, set forth in burning words, among their grievances, that George III, "in order to keep open a market where men should be bought and sold, had prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce." Sir, like the English monarch, you may now prostitute your power to this same purpose. But you cannot escape the judgment of the world, nor the doom of history.

It will be in vain, that, while doing this thing, you plead, in apology, the principle of self-government, which you profess to recognise in the Territories. Sir, this very principle, when truly administered, secures equal rights to all, without distinction of color or race, and makes Slavery impossible. By no rule of justice, and by no subtlety of political metaphysics, can the right to hold a fellow-man in bondage be regarded as essential to self-government. The inconsistency is too flagrant. It is apparent on the bare statement. It is like saying two and two make three. In the name of Liberty you open the door to Slavery. With professions of equal rights on the lips, you trample on the rights of human nature. With a kiss upon the brow of that fair Territory, you betray it to wretchedness and shame. Well did the ancient exclaim, in bitter words wrung out by bitter experience: "Oh, Liberty! what crimes are done in thy name!"

In vain, sir, you will plead, that this measure proceeds from the North, as has been suggested by the Senator from Kentucky, [Mr. Dixon.] Even if this were true, it would be no apology. But, precipitated as this bill has been upon the Senate, at a moment of general calm, and in the absence of any controlling exigency, and then hurried to a vote in advance of the public voice, as if fearful of arrest, it cannot be justly called the offspring of any popular sentiment. In this respect it differs widely from the Missouri prohibition, which, after solemn debate, extending through two sessions of Congress, and ample discussion before the people, was adopted. Certainly there is, as yet, no evidence that this measure, though supported by Northern men, proceeds from that Northern sentiment which is to be found strong and fresh in the schools, churches, and homes of the people. *Populi omnes Ad Aquilonem positi Libertatem quandem sperant.* And could this scheme be now submitted to the awakened millions whose souls have been truly riven by Northern skies, it would be branded at once with an indignant and undying condemnation.

But the race of men, "white slaves of the North," described and despised by a Southern statesman, is not yet extinct here, sir. It is one of the melancholy tokens of the power of slavery, under our political system, and especially through the operations of the National Government, that it looms and degrades the character of Northern men, even at a distance—like the black magnetic mountain in the Arabian story, under whose irresistible attraction the iron bolts, which held together the strong timbers of a stately ship, were

drawn out, till the whole fell apart, and became a disjointed wreck. Those principles, which constitute the individuality of the North—character, which render it staunch, strong, and seaworthy, which bind it together as with iron, are drawn out, one by one, like the bolts of the ill-fated vessel, and from the miserable loosened fragments is formed that human anomaly—a Northern man with Southern principles. Sir—no such man can speak for the North.

[Here there was an interruption of prolonged applause in the galleries.]

THE PRESIDENT [Mr. Stuart in the chair.] The Chair will be obliged to order the galleries to be cleared, if order is not preserved. No applause will be allowed.

SEVERAL VOICES. Let them be cleared now.

MR. SUMNER. Mr. President, I proceed now to considerations of a more general character, to which I ask your best attention. Sir, this bill is proposed as a measure of peace. In this way you vainly think to withdraw the subject of slavery from National politics. This is a mistake. Peace depends on mutual confidence. It can never rest secure on broken faith and injustice. And, sir, permit me to say, frankly, sincerely, and earnestly, the subject of slavery can never be settled, so long as the National Union, until we return once more to the original policy of our fathers, at the first organization of the Government, under Washington, when the National ensign nowhere on the National territory covered a single slave.

Slavery, which our fathers branded as an "evil," a "curse," an "enormity," a "nefarious institution," is condemned at the North by the strongest convictions of the reason and the best sentiments of the heart. It is the only subject, within the field of National politics, which excites any real interest. The old matters which have divided the minds of men have lost their importance. One by one they have disappeared, leaving the ground to be occupied by a question grander far. The Bank, Sub-Treasury, the Distribution of the Public Lands, are such and all obsolete issues. Even the Tariff is not a question on which opposite political parties are united in taking opposite sides. And now, instead of these superseded questions, which were filled for the most part with the odor of the dollar, the country is directly summoned to consider face to face a cause which is connected with all that is divine in religion, with all that is pure and noble in morals, with all that is truly practical and constitutional in politics. Unlike the other questions, it is not temporary, or local in its character. It belongs to all times and to all countries. Though long kept in check, it now, by your introduction, confronts the people, demanding to be heard. To every man in the land it says, with clear, penetrating voice, "Are you for Freedom, or are you for Slavery?" And every man in the land must answer this question when he votes.

Pass this bill, and it will be in vain that you say, the Slavery question is settled. Sir, nothing can be settled which is not right. Nothing can be settled, which is adverse to Freedom, God, nature, and all the holy sentiments of the heart, repudiate any such false seeming settlement.

Now, sir, mark the clear line of our duty. And here let me speak for those with whom, in minority and defeat, I am proud to be associated, the Independent Democrats, who espouse that Democracy which is transfused in the Declaration of Independence, and the injunctions of Christianity. The testimony which we bear against slavery, as against all other wrong, is in different ways, according to our position. The slavery, which exists under other Governments, as in Russia or Turkey, or in other States of the Union, as in Virginia and Carolina, we can oppose only through the influence of literature, morals, and religion, without in any way invoking the Political Power. Nor is it to be expected, that Slavery—where we are parties to it, where we are responsible for it, everywhere within our jurisdiction—must be opposed, not only by all the influence of literature, morals, and religion, but directly by every instrument of Political Power. In the States it is sustained by local laws, and although we may be compelled to share the shame which its presence inflicts upon the fair fame of the country, yet it reserves to itself the right of our hands. We are not responsible for it. The wrong is not at our own particular doors. It is not within our jurisdiction. But slavery everywhere under the Constitution of the United States—everywhere within the exclusive jurisdiction of the National Government—everywhere under the National flag, is at our own particular doors, within the sphere of our own personal responsibility, and exists in direct defiance of the original policy of our Fathers and of the true principles of the Constitution.

It is a mistake to say, as is often charged, that we seek to interfere, through Congress, with Slavery in the States, or in any way to direct the legislation of Congress upon subjects not within its jurisdiction. Our political aims, as well as our political duties, are co-extensive with our political responsibilities, and since we are at the present time responsible for Slavery wherever it exists under the jurisdiction of Congress, it is unpardonable in us not to exert every power we possess to enlist Congress against it.

Such is our cause. To men of all parties and opinions, who wish well to the Republic, and would preserve its good name, it appeals. Alike to the Conservative and the Reformer, it appeals; for it stands on the truest Conservatism, and the truest Reform. In seeking the establishment of a just and equitable Slavery, we seek also the conservation of the principles of our fathers. The cause is not sectional; for it simply aims to establish under the National Government those great principles of Justice and Humanity, which are broad and universal as man. As well might it be said that Jefferson, Franklin, and Washington, were sectional. It is not aggressive; for it does not seek in any way to interfere, through Congress, with slavery in the States. It is not contrary to the Constitution; for it recognises this paramount law, and in the administration of the Government invokes the spirit of its founders. Sir, it is not hostile to the quiet of the country; for it proposes the only course by which agitation can be allayed and quiet be permanently established.

It is not uncommon to hear persons declare that they are against slavery, and are willing to unite in any practical efforts to make the opposition felt. At the same time, they pharisaically visit with condemnation, with reproach or contempt, the earnest souls who for years have striven in this struggle. To such I would say—could I reach them now with my voice—if you are sincere in what you declare, if your words are not merely lip-service; if in your hearts you are entirely willing to join in any practical efforts against slavery, then by your lives, by your conversation, by your industry, by your vote—disregarding "the ancient forms of party strife"—seek to carry the principles of Freedom into the National Government, wherever its jurisdiction is acknowledged, and its power can be felt. Thus, without any interference with the States, which are beyond this jurisdiction, may you help to erase the blot of slavery from our National brow.

Do this, and you will most truly promote the harmony which you so much desire. You will establish tranquillity throughout the country. Then at last, sir, the Slavery Question will be settled. Banished from its usurped foothold under the National Government, slavery will no longer enter, with distracting force, into the National politics—making and unmaking law, making and unmaking Presidents. Confined to the States, where it was left by the Consti-

tution, it will take its place as a local institution, if—alas! continue it must—for which we are in no sense responsible, and against which we cannot justly exert any political power. We shall be relieved from our present painful and irritating connection with it. The existing antagonism between the North and the South will be softened; or, if not, it will be softened; and the wishes of the Fathers will be fulfilled, and this Great Evil be left to the kindly influences of morals and religion, and the prevailing laws of social economy.

I am not blind to the adverse signs. But this is clearly. Amidst all seeming discouragements, the great omens are with us. Art, literature, poetry, religion—everything which elevates man—all are on our side. The plough, the steam-engine, the railroad, the telegraph, the book, every human improvement, every generous word anywhere, every true pulsation of every heart which is not a mere morbid longing for glory, gives new encouragement to the warfare with slavery. The discussion will proceed. The devices of party can no longer state it off. The embroilings of the politician cannot escape it. The tricks of the office-seeker cannot dodge it. Wherever an election occurs, there this question will arise. Wherever men come together to speak of public affairs, there it will be. No political job, no party, with its mischievous power, can stop the sun in his course through the heavens. It is even now rejoicing, like a strong man, to run its race, and will yet send its beams into the most distant plantations—aye, sir, and melt the chains of every slave.

But this movement—or agitation, as it is reproachfully called—is boldly pronounced injurious to the very object it professes to pursue. It enters into details which neither time nor the occasion justify, let me say that this objection belongs to those commonplace, which have been arrayed against every beneficent movement in the world's history—against even knowledge itself—against the abolition of the slave trade. Perhaps it was not unnatural for the Senator from North Carolina [Mr. Badger] to press, even so vehemently as he did, but it seemed less natural when it came, through in more moderate phrase, from my distinguished friend and colleague from Massachusetts [Mr. Everett]. The past furnishes a controlling example by which its true character may be determined. Do not forget, sir, that the efforts of William Wilberforce encountered this precise objection, and that the condition of the kidnapped slave was then vindicated, in language not unlike that of the Senator from North Carolina, by no less a person than the Duke of Clarence, of the royal family, in what was called his maiden speech, on May 3d, 1792, and preserved in the Parliamentary Debates. "The negroes," he said, "were not treated in the manner which had so much agitated the public mind. He had been an attentive observer of their state, and had no doubts that he could bring forward proofs to convince their lordships that their state was far from being miserable; on the contrary, that when the various ranks of society were considered, they were comparatively in a state of humble happiness." And only the next year this same royal prince, in debate in the House of Lords, asserted that the promoters of the abolition of the slave trade were "either fanatics or hypocrites," and in one of these charges he declared that he raised Wilberforce to the level of the end. After years of weary effort, the slave trade was finally abolished; and at last, in 1833, the early vindicator of even this enormity, the maligner of a name hallowed among men, was brought to give his royal assent, as William IV, King of Great Britain, to the immortal act of Parliament, grander far than any victory of war, by which Slavery was abolished throughout the British dominions. Sir, time and the universal conscience have vindicated the labors of Wilberforce. The movement against American Slavery, sanctioned by the august names of Washington, Franklin, and Jefferson, can calmly await a similar judgment.

But it is suggested that, in this movement, there is danger to the Union. In this solitude I cannot share. As a lover of concord, as a jealous partisan of all things that make for peace, I am always glad to express my attachment to the Union; but I believe that this bond will be most truly preserved and most beneficently extended, (for I shrink from no expansion where Freedom leads the way,) by firmly upholding those principles of Liberty and Justice which were made its early corner stones. The true danger to this Union proceeds, not from any abandonment of the peculiar institutions of the South, but from the abandonment of the spirit in which the Union was formed; not from any warfare, within the limits of the Constitution, upon slavery, but from warfare, like that waged by this very bill, upon Freedom. The Union is most precious; but more precious far are that "general welfare," "domestic tranquillity," and those "blessings of Liberty," which it was established to secure; all which are now weakly endangered. Not that I love the Union less, but Freedom more, do I now, in pleading this great cause, insist that Freedom, at all hazards, shall be preserved.

One word more, and I have done. The great master, Shakespeare, who, with all-seeming mortal eye, observed mankind, and with immortal pen depicted the manners as they rise, has presented a scene, which may be read with advantage by all who would plant the South into the quarrel with the North. I refer to the well-known dialogue between Brutus and Cassius. Reading this remarkable passage, it is difficult not to see in Brutus our own North, and in Cassius the South:

Cassius. Urge me no more; I shall forget myself. Have mind upon your health; tempt me no further. Brutus.—I will not. Must I give you my rash choice? Cassius. O yes; you go; you go; Must I endure all this? Brutus. All this? Aye, more. Fret till your proud heart break. Go, show your slaves how choleric you are, and make your bondmen tremble. Must I budge? Must I observe you? Must I stand and gape? Under your heavy hand? Cassius. Do not presume too much upon my love; I may do that I shall be sorry for. Brutus. You have done that; you should be sorry for it. There is no terror, Cassius, in your threats; For I am armed as strong in honesty. That they have by me as the idle wind. Which I regard not. Cassius. A friend should bear his friend's infirmities; But Brutus makes mine greater than they are. Brutus. I do not, TILL YOU PRACTICE THEM ON ME. Cassius. You love me not. Brutus. I do not like your faults. Brutus. A friend should bear his friend's faults. Cassius. Act 4, scene 3.

And the colloquy proceeding, each finally comes to understand the other, appreciates his character and attitude and the impetuous, gallant Cassius exclaims, "Give me your hand," to which Brutus replies, "And my heart too." Afterwards, with hand and heart united, on the field of Philippi they together upheld the liberties of Rome.

The North and the South, sir, as I fondly trust, amidst all differences of opinion, will ever have a hand and a heart for each other; and believing in the sure prevalence of Almighty Truth, I confidently look forward to the good time, when both will unite, according to the sentiments of the fathers and the true spirit of the Constitution, in declaring Freedom and not Slavery national, while Slavery and not Freedom shall be sectional. Then will be achieved that Union, contemplated at the beginning, against which the storms of faction and the assaults of foreign power will beat in vain, as upon the Rock of Ages; and LIBERTY, seeking a firm foothold, will have at last WORKED ON STAND AND MOVE THE WORLD.